

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
CORPUS CHRISTI DIVISION

UNITED STATES OF AMERICA

88

VS.

308

MAGISTRATE ACTION NO. C-12-54

# EDDIE HERNANDEZ

88

**MEMORANDUM OPINION AND ORDER OF DETENTION PENDING TRIAL**

A detention hearing has been held in accordance with the Bail Reform Act, 18 U.S.C. § 3142(f). The following requires detention of the defendant pending trial in this case:

(1) There is a serious risk that the defendant will not appear; and

(2) There is a serious risk that the defendant will endanger the safety of another person or the community.

The evidence against the defendant meets is substantial. The defendant admitted he was being paid to transport marihuana. The findings and conclusions contained in the Pretrial Services Report are adopted. The defendant was on bond for a felony offense when he committed the instant offense, reflecting that he is either unwilling or unable to comply with court-ordered conditions of release. He also has significant contacts with Mexico, as he visits his father there frequently. The defendant is a poor bond risk.

The defendant is committed to the custody of the United States Marshal or his designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The defendant shall be afforded a reasonable opportunity for private consultation

with defense counsel. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility shall deliver the defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

ORDERED this 20th day of January, 2012.

  
B. JANICE ELLINGTON  
UNITED STATES MAGISTRATE JUDGE